



OP. 644

Attorney's Docket No. 45922/241203(5865-2)

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re:	Gambacorti-Passerini et al.	Confirmation No.:	4010
Appl No.:	10/008,377	Group Art Unit:	1644
Filed:	November 15, 2001	Examiner:	Michael E. Szperka
For:	IMMUNOGENIC ALK PEPTIDES		

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO RESTRICTION REQUIREMENT

This is in response to the Office Action dated September 8, 2004, in which the Examiner has required restriction between Group I, namely claims 1, 3 and 4; Group II, namely claim 2; Group III, namely claims 5-8; Group IV, namely claims 9 and 10; Group V, namely claim 11; Group VI, namely claims 12-15 as drawn to a method for treating a disorder using an ALK peptide; Group VII, namely claims 12-15 as drawn to a method for treating a disorder using an antigen presenting cell that carries an ALK peptide; Group VIII, namely claims 12-15 as drawn to a method for treating a disorder using an autologous T lymphocyte specific for an ALK peptide in a complex with HLA-A*0201; Group IX, namely claims 12-15 as drawn to a method for treating a disorder using a functional variant; and Group X, namely claims 16-21. Applicant hereby elects to prosecute the claims of Group I (claims 1, 3, and 4) and expressly reserves the right to file divisional applications or take such other appropriate measures deemed necessary to protect the inventions in the remaining claims.

The Examiner has further required that Applicants elect a single species selected from SEQ ID NOS:1-7 for prosecution on the merits in the present application to which the claims shall be restricted if no generic claim is finally held to be allowable. Applicant elects to prosecute SEQ ID NO:1 for prosecution.

Should the Examiner have further questions or comments with respect to examination of this case, it is respectfully requested that the Examiner telephone the undersigned agent so that further examination of this application can be expedited.

Appl No.: 10/008,377
Amdt. dated 11/08/2004
Reply to Restriction Requirement of September 8, 2004

It is not believed that extensions of time or fees for net addition of claims are required, beyond those, which may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 CFR § 1.136(a), and any fee required therefore (including fees for net addition of claims) is hereby authorized to be charged to Deposit Account No. 16-0605.

Respectfully submitted,

Kathryn L. Coulter

Kathryn L. Coulter
Registration No. 45,889

CUSTOMER NO. 00826
ALSTON & BIRD LLP
Bank of America Plaza
101 South Tryon Street, Suite 4000
Charlotte, NC 28280-4000
Tel Raleigh Office (919) 862-2200
Fax Raleigh Office (919) 862-2260

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on November 8, 2004

Nora C. Martinez
Nora C. Martinez